

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

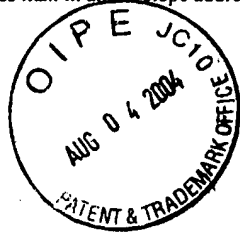
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On August 2, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: JoAnn Evangelista  
JoAnn Evangelista

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



PATENT  
Attorney Docket No.: 022176-000700US  
Client Reference No.: prior reference  
ISM/007

**RECEIVED**  
AUG 06 2004  
Technology Center 2600

In re application of:

ADNAN SHENNIB

Application No.: 09/400,151

Filed: September 21, 1999

For: PERSONAL HEARING  
EVALUATOR

Examiner: LAO, LUN S.

Art Unit: 2643

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.


As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

08/05/2004 WABDELRL 00000098 09400151  
01 FC:2553 475-00 DA  
02 FC:1806 180.00 DA

This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance.

Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

  
Joel M. Harris  
Reg. No. 44,743

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
Fax: 650-326-2422  
JMH:bjl

Substitute for form 1449B/PTO

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet **3**

of

**Complete if Known**

Application Number	09/400,151
Filing Date	September 21, 1999
First Named Inventor	Shennib, Adnan
Art Unit	2643
Examiner Name	LAO, LUN S.
Attorney Docket Number	022176-000700US

**RECEIVED**  
**AUG 04 2004**
**Technology Center 2800**
**U.S. PATENT DOCUMENTS+**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
	AA	US-3,594,514	07-20-1971	Wingrove	
	AB	US-3,764,748	10-09-1973	Branch et al.	
	AC	US-3,870,832	03-11-1975	Fredrickson	
	AD	US-3,882,285	05-06-1975	Nunley et al.	
	AE	US-4,505,329	08-19-1986	Hough	
	AF	US-4,628,907	12-16-1986	Epley	
	AG	US-4,756,312	07-12-1988	Epley	
	AH	US-4,776,322	10-11-1988	Hough et al.	
	AI	US-4,817,607	04-04-1989	Tatge	
	AJ	US-4,840,178	06-20-1989	Heide et al.	
	AK	US-4,957,478	09-18-1990	Maniglia	
	AL	US-5,015,224	05-14-1991	Maniglia	
	AM	US-5,015,225	04-14-1991	Hough et al.	
	AN	US-5,163,957	11-17-1992	Sadé et al.	
	AO	US-5,220,918	06-22-1993	Heide et al.	
	AP	US-5,259,032	11-02-1993	Perkins et al.	
	AQ	US-5,282,858	02-01-1994	Bisch et al.	
	AR	US-5,338,287	08-16-1994	Miller et al.	
	AS	US-5,456,654	10-13-1995	Ball	
	AT	US-5,531,787	07-02-1996	Lesinski et al.	
	AU	US-5,554,096	09-10-1996	Ball	
	AV	US-5,624,376	04-29-1997	Ball et al.	
	AW	US-5,654,530	08-05-1997	Sauer et al.	
	AX	US-5,682,020	10-28-1997	Oliveira	
	AY	US-5,701,348	12-23-1997	Shennib et al.	
	BA	US-5,833,626	11-10-1998	Leysieffer	
	BB	US-5,730,699	03-24-1998	Adams et al.	
	BC	US-6,408,081 B1	06-18-2002	Boesen	
	BD	US-6,620,110 B2	09-16-2003	Schmid	
	BE	US-6,643,378 B2	11-04-2003	Schumaier	
	BF	US-6,648,813 B2	11-18-2003	Zilberman et al.	
	BG	US-6,658,126 B1	12-02-2003	Stern	

Examiner  
SignatureDate  
Considered

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449B/PTC		AUG 04 2004		Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		Application Number		09/400,151	
		Filing Date		September 21, 1999	
		First Named Inventor		Shennib, Adnan	
		Art Unit		2643	
		Examiner Name		LAO, LUN S.	
Sheet 4 of		Attorney Docket Number		022176-000700US	

RECEIVED

AUG 04 2004

Technology Center 2600

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>2</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
								<input type="checkbox"/>
								<input type="checkbox"/>
								<input type="checkbox"/>
								<input type="checkbox"/>
								<input type="checkbox"/>
								<input type="checkbox"/>
								<input type="checkbox"/>
								<input type="checkbox"/>

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	BH	Chasin, Marshall, <i>CIC Handbook</i> , Singular Publishing Group, Inc. (1997), pp. 12-14, 17-18, 27-28, 44, 56-58, and 65-66.	
	BI	Oliveira, Robert J., and Navarro, Richard, "The Wax Problem: Two New Approaches," <i>The Hearing Journal</i> (August 1993) Vol. 46, No. 8, pp. 41-46.	

60274847 v1

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

<sup>1</sup> EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>2</sup> Applicant's unique citation designation number (optional). <sup>3</sup> Applicant is to place a check mark here if English language Translation is attached.

60274847 v1